

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#11
3/13/03

Application No.: 09/806,125

Filed: 3/28/2001

1st Inventor: MATSUTANI, Eisuya

For: Agent that retards the transformation of
hormone-dependent cancer to non-hormone
dependent cancer

Atty. Dkt. No. 2556 US0P

Art Unit: 1642

Examiner: Rawlings, S.

Allowed:

Batch:

Paper No.:

TECH CENTER 1600/2900

MAR 11 2003

RECEIVED

Response to Notice to Comply with Sequence Listing Requirements

BOX SEQ
Assistant Commissioner for Patents
Washington, D.C. 20231
Sir:

In response to the Notice to Comply mailed February 7, 2003, Applicants respectfully submit, along with a copy of the Notice, a substitute written Sequence Listing and a replacement DOS Text CRF Sequence Listing file "2556US0P.st25.txt" on the enclosed 3.5" IBM PC/AT computer disk.

The undersigned hereby certifies that the CRF and the written Sequence Listing are the same in content. The Sequence Listing contains no new matter.

Respectfully submitted,

Dated: March 5, 2003

(847)383-3372

(847)383-3391

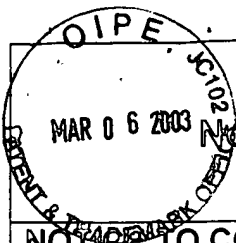
Mark Chao, Ph.D., Reg. No. 37,293

Elaine M. Ramesh, Ph.D., Reg. No. 43032

Attorney for Applicants

Customer No. 23115

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
Suite 500, 475 Half Day Road
Lincolnshire, IL 60069 USA



Notice to Comply

Application No.

09/806,125

Examiner

Stephen L. Rawlings, Ph.D.

Applicant(s)

MATSUTANI ET AL.

Art Unit

1642

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

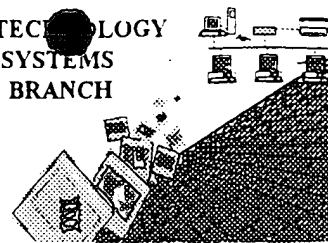
For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/806,125A
Source: 1600
Date Processed by STIC: 1/23/03

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER
VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND
TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202



1600

Dec 11 2003

16:24:36

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/806,125A

DATE: 01/23/2003

TIME: 16:24:36

Error on p. 2

Input Set : A:\PTO.VSK.txt

Output Set: N:\CRF4\01232003\I806125A.raw

3 <110> APPLICANT: MATSUTANI, Etsuya
 4 NAITO, Kenichiro
 6 <120> TITLE OF INVENTION: Agents For Retarding Change of Hormone-dependent Cancer into
 Hormone-
 7 independent Cancer
 9 <130> FILE REFERENCE: 2556USOP
 11 <140> CURRENT APPLICATION NUMBER: 09/806,125A
 C--> 12 <141> CURRENT FILING DATE: 2003-01-10
 14 <150> PRIOR APPLICATION NUMBER: PCT/JP99/05533
 15 <151> PRIOR FILING DATE: 1999-10-07
 17 <150> PRIOR APPLICATION NUMBER: JP 10-286793
 18 <151> PRIOR FILING DATE: 1998-10-08
 20 <160> NUMBER OF SEQ ID NOS: 13
 22 <170> SOFTWARE: PatentIn version 3.0
 24 <210> SEQ ID NO: 1
 25 <211> LENGTH: 10
 26 <212> TYPE: PRT
 27 <213> ORGANISM: artificial
 29 <220> FEATURE:
 30 <223> OTHER INFORMATION: LH-RH peptide derivative
 32 <220> FEATURE:
 33 <221> NAME/KEY: MOD_RES
 34 <222> LOCATION: (6)..(6)
 35 <223> OTHER INFORMATION: D-Leu
 38 <220> FEATURE:
 39 <221> NAME/KEY: MOD_RES
 40 <222> LOCATION: (10)..(10)
 41 <223> OTHER INFORMATION: Gly-NH2 or -NH-C2H5
 44 <400> SEQUENCE: 1
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 47 1 5 10
 49 <210> SEQ ID NO: 2
 50 <211> LENGTH: 10
 51 <212> TYPE: PRT
 52 <213> ORGANISM: artificial
 54 <220> FEATURE:
 55 <223> OTHER INFORMATION: LH-RH peptide derivative
 57 <220> FEATURE:
 58 <221> NAME/KEY: MOD_RES
 59 <222> LOCATION: (6)..(6)
 60 <223> OTHER INFORMATION: DLeu, DAla, DTrp, DSer(tBut), D2Nal, DHis(ImEz1)
 63 <220> FEATURE:
 64 <221> NAME/KEY: MOD_RES
 65 <222> LOCATION: (10)..(10)

RAW SEQUENCE LISTING

DATE: 01/23/2003

PATENT APPLICATION: US/09/806,125A

TIME: 16:24:36

Input Set : A:\PTO.VSK.txt

Output Set: N:\CRF4\01232003\I806125A.raw

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66 <223> OTHER INFORMATION: Gly-NH2 or NH-C2H5
69 <400> SEQUENCE: 2
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72 1 5 10
74 <210> SEQ ID NO: 3
75 <211> LENGTH: 11
76 <212> TYPE: PRT
77 <213> ORGANISM: artificial
79 <220> FEATURE:
80 <223> OTHER INFORMATION: LH-RH peptide derivative
82 <220> FEATURE:
83 <221> NAME/KEY: MOD_RES
84 <222> LOCATION: (1)..(1)
85 <223> OTHER INFORMATION: N(4H2-furoyl)Gly, NAc
88 <220> FEATURE:
89 <221> NAME/KEY: MOD_RES
90 <222> LOCATION: (2)..(2)
91 <223> OTHER INFORMATION: D2Nal
94 <220> FEATURE:
95 <221> NAME/KEY: MOD_RES
96 <222> LOCATION: (3)..(3)
97 <223> OTHER INFORMATION: D4ClPhe
100 <220> FEATURE:
101 <221> NAME/KEY: MOD_RES
102 <222> LOCATION: (4)..(4)
103 <223> OTHER INFORMATION: D3Pal
106 <220> FEATURE:
107 <221> NAME/KEY: MOD_RES
108 <222> LOCATION: (6)..(6)
109 <223> OTHER INFORMATION: NMeTyr, Tyr, Aph(Atz), NMeAph(Atz)
112 <220> FEATURE:
113 <221> NAME/KEY: MOD_RES
114 <222> LOCATION: (7)..(7)
115 <223> OTHER INFORMATION: DLys(Nisp), DCit, DLys(AzaglyNic), DLys(AzaglyFur), DhArg
(Atz), D
116 hC
119 <220> FEATURE:
120 <221> NAME/KEY: MOD_RES
121 <222> LOCATION: (9)..(9)
122 <223> OTHER INFORMATION: Lys(Nisp), Arg, hArg(Et2)
125 <400> SEQUENCE: 3
W--> 127 Xaa Xaa Xaa Xaa Ser Xaa Xaa Leu Xaa Pro Xaa
128 1 5 10
130 <210> SEQ ID NO: 4
131 <211> LENGTH: 6
132 <212> TYPE: PRT
133 <213> ORGANISM: artificial
135 <220> FEATURE:
136 <223> OTHER INFORMATION: kinase consensus target peptide
138 <400> SEQUENCE: 4

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Explanation for Xaa at position
11 was omitted

RAW SEQUENCE LISTING

DATE: 01/23/2003

PATENT APPLICATION: US/09/806,125A

TIME: 16:24:36

Input Set : A:\PTO.VSK.txt

Output Set: N:\CRF4\01232003\I806125A.raw

```

140 His Arg Asp Leu Ala Ala
141 1      5
143 <210> SEQ ID NO: 5
144 <211> LENGTH: 5
145 <212> TYPE: PRT
146 <213> ORGANISM: artificial
148 <220> FEATURE:
149 <223> OTHER INFORMATION: kinase consensus target peptide
151 <400> SEQUENCE: 5
153 Ser Asp Val Trp Ser
154 1      5
156 <210> SEQ ID NO: 6
157 <211> LENGTH: 16
158 <212> TYPE: DNA
159 <213> ORGANISM: artificial
161 <220> FEATURE:
162 <223> OTHER INFORMATION: primer
164 <220> FEATURE:
165 <221> NAME/KEY: misc_feature
166 <222> LOCATION: (4)..(4)
167 <223> OTHER INFORMATION: C or A
170 <220> FEATURE:
171 <221> NAME/KEY: misc_feature
172 <222> LOCATION: (3)..(3)
173 <223> OTHER INFORMATION: C or T
176 <220> FEATURE:
177 <221> NAME/KEY: misc_feature
178 <222> LOCATION: (9)..(10)
179 <223> OTHER INFORMATION: C or T
182 <400> SEQUENCE: 6
W--> 183 canngggann ggcbbgc
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187 <211> LENGTH: 16
188 <212> TYPE: DNA
189 <213> ORGANISM: artificial
191 <220> FEATURE:
192 <223> OTHER INFORMATION: primer
194 <220> FEATURE:
195 <221> NAME/KEY: misc_feature
196 <222> LOCATION: (2)..(2)
197 <223> OTHER INFORMATION: a or g
200 <220> FEATURE:
201 <221> NAME/KEY: misc_feature
202 <222> LOCATION: (8)..(8)
203 <223> OTHER INFORMATION: c or a
206 <220> FEATURE:
207 <221> NAME/KEY: misc_feature
208 <222> LOCATION: (11)..(11)
209 <223> OTHER INFORMATION: g or a

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16

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/806,125A

DATE: 01/23/2003

TIME: 16:24:36

Input Set : A:\PTO.VSK.txt

Output Set: N:\CRF4\01232003\I806125A.raw

212 <220> FEATURE:
 213 <221> NAME/KEY: misc_feature
 214 <222> LOCATION: (14)..(14)
 215 <223> OTHER INFORMATION: a or g
 218 <400> SEQUENCE: 7

W--> 219 anctccanac ntcnct

16

222 <210> SEQ ID NO: 8
 223 <211> LENGTH: 17
 224 <212> TYPE: DNA
 225 <213> ORGANISM: artificial
 227 <220> FEATURE:
 228 <223> OTHER INFORMATION: primer
 230 <220> FEATURE:
 231 <221> NAME/KEY: misc_feature
 232 <222> LOCATION: (3)..(3)
 233 <223> OTHER INFORMATION: c or t
 236 <220> FEATURE:
 237 <221> NAME/KEY: misc_feature
 238 <222> LOCATION: (4)..(4)
 239 <223> OTHER INFORMATION: c or a
 242 <220> FEATURE:
 243 <221> NAME/KEY: misc_feature
 244 <222> LOCATION: (6)..(6)
 245 <223> OTHER INFORMATION: g or a
 248 <220> FEATURE:
 249 <221> NAME/KEY: misc_feature
 250 <222> LOCATION: (10)..(10)
 251 <223> OTHER INFORMATION: c or t
 254 <220> FEATURE:
 255 <221> NAME/KEY: misc_feature
 256 <222> LOCATION: (12)..(12)
 257 <223> OTHER INFORMATION: g or t
 260 <220> FEATURE:
 261 <221> NAME/KEY: misc_feature
 262 <222> LOCATION: (15)..(15)
 263 <223> OTHER INFORMATION: a or t
 266 <400> SEQUENCE: 8

W--> 267 canngngacn tngcngc

17

270 <210> SEQ ID NO: 9
 271 <211> LENGTH: 16
 272 <212> TYPE: DNA
 273 <213> ORGANISM: artificial
 275 <220> FEATURE:
 276 <223> OTHER INFORMATION: primer
 278 <220> FEATURE:
 279 <221> NAME/KEY: misc_feature
 280 <222> LOCATION: (2)..(2)
 281 <223> OTHER INFORMATION: a or g
 284 <220> FEATURE:

RAW SEQUENCE LISTING

DATE: 01/23/2003

PATENT APPLICATION: US/09/806,125A

TIME: 16:24:36

Input Set : A:\PTO.VSK.txt

Output Set: N:\CRF4\01232003\I806125A.raw

285 <221> NAME/KEY: misc_feature
 286 <222> LOCATION: (8)..(8)
 287 <223> OTHER INFORMATION: a or c
 290 <220> FEATURE:
 291 <221> NAME/KEY: misc_feature
 292 <222> LOCATION: (14)..(14)
 293 <223> OTHER INFORMATION: a or c
 296 <400> SEQUENCE: 9

W--> 297 anctccanac gtcnga

16

300 <210> SEQ ID NO: 10
 301 <211> LENGTH: 17
 302 <212> TYPE: DNA
 303 <213> ORGANISM: artificial
 305 <220> FEATURE:
 306 <223> OTHER INFORMATION: primer
 308 <220> FEATURE:
 309 <221> NAME/KEY: misc_feature
 310 <222> LOCATION: (3)..(3)
 311 <223> OTHER INFORMATION: c or t
 314 <220> FEATURE:
 315 <221> NAME/KEY: misc_feature
 316 <222> LOCATION: (4)..(4)
 317 <223> OTHER INFORMATION: c or a
 320 <220> FEATURE:
 321 <221> NAME/KEY: misc_feature
 322 <222> LOCATION: (6)..(6)
 323 <223> OTHER INFORMATION: g or a
 326 <220> FEATURE:
 327 <221> NAME/KEY: misc_feature
 328 <222> LOCATION: (10)..(10)
 329 <223> OTHER INFORMATION: c or t
 332 <220> FEATURE:
 333 <221> NAME/KEY: misc_feature
 334 <222> LOCATION: (15)..(15)
 335 <223> OTHER INFORMATION: a or g
 338 <400> SEQUENCE: 10

W--> 339 canngngaen tggcngc

17

342 <210> SEQ ID NO: 11
 343 <211> LENGTH: 16
 344 <212> TYPE: DNA
 345 <213> ORGANISM: artificial
 347 <220> FEATURE:
 348 <223> OTHER INFORMATION: primer
 350 <220> FEATURE:
 351 <221> NAME/KEY: misc_feature
 352 <222> LOCATION: (2)..(2)
 353 <223> OTHER INFORMATION: a or g
 356 <220> FEATURE:
 357 <221> NAME/KEY: misc_feature

RAW SEQUENCE LISTING ERROR SUMMARY
PATENT APPLICATION: US/09/806,125A

DATE: 01/23/2003
TIME: 16:24:37

Input Set : A:\PTO.VSK.txt
Output Set: N:\CRF4\01232003\I806125A.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:1; Xaa Pos. 6,10
Seq#:2; Xaa Pos. 6,10
Seq#:3; Xaa Pos. 1,2,3,4,6,7,9,11
Seq#:6; N Pos. 3,4,9,10
Seq#:7; N Pos. 2,8,11,14
Seq#:8; N Pos. 3,4,6,10,12,15
Seq#:9; N Pos. 2,8,14
Seq#:10; N Pos. 3,4,6,10,15
Seq#:11; N Pos. 2,8,11,14

Invalid <213> Response:

Use of "Artificial" only as "<213> Organism" response is incomplete,
per 1.823(b) of New Sequence Rules. Valid response is Artificial Sequence.

Seq#:1,2,3,4,5,6,7,8,9,10,11,12,13

VERIFICATION SUMMARY

DATE: 01/23/2003

PATENT APPLICATION: US/09/806,125A

TIME: 16:24:37

Input Set : A:\PTO.VSK.txt

Output Set: N:\CRF4\01232003\I806125A.raw

L:12 M:271 C: Current Filing Date differs, Replaced Current Filing Date
L:46 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 after pos.:0
L:71 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:2 after pos.:0
L:127 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3 after pos.:0
L:183 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:6 after pos.:0
L:219 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:7 after pos.:0
L:267 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:8 after pos.:0
L:297 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:9 after pos.:0
L:339 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:10 after pos.:0
L:375 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:11 after pos.:0